

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 ACDA-07 CIAE-00 INR-07 IO-13
L-03 NSAE-00 NSC-05 EB-08 NRC-05 FEAE-00 DODE-00
ERDA-05 PM-04 SP-02 SS-15 AID-05 XMB-02 OMB-01 TRSE-00
COME-00 SSO-00 NSCE-00 INRE-00 /101 W
-----171857Z 087276 /50

O 171754Z MAR 77
FM AMEMBASSY MADRID
TO SECSTATE WASHDC IMMEDIATE 9382

C O N F I D E N T I A L MADRID 2020

E.O. 11652: GDS
TAGS: TECH, ENRG, SP
SUBJECT: US-SPANISH NUCLEAR COOPERATION

REF: MADRID 1570, 1693, STATE 46547

1. EMBOFFS MET AGAIN MARCH 17 WITH BARROSO OF FON MIN AND TECHNICIANS FROM JUNTA DE ENERGIA NUCLEAR (JEN) TO DISCUSS PROPOSED NOTE WHEREBY GOS WOULD PROVIDE ASSURANCE IT WILL REACH AGREEMENT WITH US ON ALL RE-PROCESSING OF NUCLEAR FUELS PENDING RENEGOTIATION OF BILATERAL TREATY. GOS ACCEPTS LANGUAGE GIVEN IN STATE 46547 WITH SOME MODIFICATION AND AMPLIFICATION.

2. FIRST, GOS WOULD LIKE TO DROP REFERENCE TO 20 MARCH 1974 NOTE ON PEACEFUL NUCLEAR EXPLOSIONS SINCE CAREFUL CHECK OF BOTH FONMIN AND SPANISH EMBASSY WASHINGTON FILES FAILED TO TURN UP THE ORIGINAL OR ANY COPY OF THIS NOTE. GOS POSITION IS THAT, WHILE IT HAS NO OBJECTION TO CONTENT OF THE MARCH 1974 NOTE AND CAN ACCEPT ITS CONTENTS, IT CANNOT REPLY TO A NOTE THAT AS FAR AS IT CAN TELL, IT NEVER RECEIVED. EMBOFFS SUGGESTED POSSIBILITY OF SENDING A NEW NOTE FROM THE EMBASSY TO WHICH FONMIN COULD REPLY WITH ACCEPTANCE.
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BARROSO SAID HE WOULD ONCE MORE CHECK FONMIN RECORDS AND THEN REPLY TO EMBASSY SUGGESTION.

3. GOS WANTS BASIC LANGUAGE OF PARA 4 OF THEIR PROPOSED NOTE (MADRID 1570), OMITTING SIX MONTH LIMITATION, TO BE RETAINED. GOS POINTED OUT THAT PARA 4 IS COPIED FROM THE NUCLEAR NONPROLIFERATION TREATY.

4. GOS WOULD LIKE TO CLOSE NOTE WITH MEANS FOR TERMINATING ITS VALIDITY. EMBASSY OFFICIALS ACHIEVED AGREEMENT AD REFERENDUM TO WORDING THAT WOULD PROVIDE FLEXIBLE TIMING FOR POSSIBILITY OF TERMINATION, I.E., IF RENEGOTIATION IS NOT ACCOMPLISHED WITHIN A "REASONABLE PERIOD OF TIME."

5. PROPOSED NOTE INCORPORATING GOS POINTS READS AS FOLLOWS:

"(COMPLIMENTARY OPENING) AND HAS THE HONOR TO REFER TO THE EXCELLENT COOPERATION BETWEEN OUR TWO GOVERNMENTS IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY. THE GOVERNMENT OF SPAIN SHARES WITH THE GOVERNMENT OF THE UNITED STATES THE BELIEF THAT NUCLEAR COOPERATION AMONG NATIONS OF THE WORLD MUST BE CONDUCTED IN A MANNER DESIGNED TO ENSURE THAT SUCH COOPERATION DOES NOT LEAD TO THE PROLIFERATION OF NUCLEAR WEAPONS. IN RECOGNITION OF THIS FACT AND THE MUTUAL IMPORTANCE THE TWO GOVERNMENTS ATTACH TO MEASURES WHICH ADVANCE NON-PROLIFERATION OBJECTIVES, THE GOVERNMENT OF SPAIN WISHES TO AVAIL ITSELF OF THIS OPPORTUNITY TO INFORM THE GOVERNMENT OF THE UNITED STATES OF AMERICA THAT BEFORE REPROCESSING OR ALTERATION IN FORM OR CONTENT OF ANY NUCLEAR FUEL WHICH IS IRRADIATED IN REACTORS SUPPLIED BY THE UNITED STATES TAKES PLACE, AND PENDING ENTRY INTO FORCE OF A NEW OR AMENDED AGREEMENT FOR COOPERATION, THE GOVERNMENT OF SPAIN WILL CONSULT WITH AND REACH AGREEMENT WITH THE GOVERNMENT OF THE UNITED STATES ON THE FACILITIES IN WHICH SUCH REPROCESSING OR ALTERATION WOULD BE PERFORMED. THE GOVERNMENT

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OF SPAIN UNDERSTANDS THAT NEGOTIATIONS TO REVISE THE AGREEMENT FOR COOPERATION SIGNED ON MARCH 20, 1974, WILL COMMENCE NO LATER THAN NOVEMBER 1, 1977. BOTH GOVERNMENTS WILL NEGOTIATE AN AGREEMENT WHICH, WITH PRECISE GUARANTEES, WILL NOT ENTAIL AN OBSTACLE FOR SPANISH ECONOMIC OR TECHNOLOGICAL DEVELOPMENT IN THE FIELD OF NUCLEAR ACTIVITIES FOR PEACEFUL PURPOSES, INCLUDING THE INTERNATIONAL EXCHANGE OF NUCLEAR MATERIALS. ONCE NEGOTIATIONS START, AND IF AFTER A REASONABLE PERIOD OF TIME ONE OR THE OTHER PARTY SEES NO POSSIBILITY OF REACHING AN AGREEMENT, THAT PARTY HAS THE RIGHT TO TERMINATE THE VALIDITY OF THIS NOTE. (STANDARD CLOSING)."

6. EMBASSY BELIEVES THIS TEXT GIVES US ASSURANCES WE SEEK AND ANSWERS BASIC GOS DESIRE TO NOT TIE ITSELF TO OPEN-ENDED COMMITMENT. EMBASSY WILL REPORT SEPARATELY ON PEACEFUL NUCLEAR EXPLOSION (PNE) NOTE AS SOON AS BARROSO REPLIES TO OUR SUGGESTION TO NEW NOTE. EATON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETINGS, NUCLEAR COOPERATION PROGRAMS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MADRID02020
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770092-0128
Format: TEL
From: MADRID
Handling Restrictions: n/a
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ISecure: 1
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